

URBAN COUNTY CHARTER COMMISSION (UCCC)

Randy Autio, Chair
Dede Feldman, Vice Chair



Albert Chavez, Member
Tasia Young, Member
Lorri Zumwalt, Member
Jordy Stern, Member
Terry Brunner, At-Large

Action Report – May 25, 2016

1. CALL TO ORDER AT 3:30 P.M.

Attendee Name	Title	Status
Vincent C. Murphy	Deputy County Manager	Present
Ken Martinez	County Attorney	Absent
Vice Chair, Dede Feldman	BCC District 1 Representative	Present
Albert Chavez	BCC District 2 Representative	Present
Tasia Young	BCC District 3 Representative	Present
Lorri Zumwalt	BCC District 4 Representative	Present
Jordy Stern	BCC District 5 Representative	Present
Terry Brunner	BCC At-Large Representative	Present
Chair, Randy Autio	BCC At-Large Representative	Present
George Richmond	GUEST	
David Campbell	GUEST	
Eric Schuler	Senior County Attorney	
Shirley Ragin	Deputy County Manager - Finance	
Lisa Sedillo-White	Deputy County Manager – General Services	

2. ANNOUNCEMENTS OF ADDITIONS AND CHANGES TO THE AGENDA

A. Moved public comment to next item.

3. PUBLIC COMMENT and CORRESPONDENCE

George Richmond: Would like to see qualifications for elected officials beyond must be 21 or 18 years of age. Also would like to see a non-partisan election for the elected officials. Will help get higher turnout due to non-party affiliated voters.

David Campbell: Former chair of earlier charter commission in 2000. Is happy to see that the charter idea is still alive. In 2000-01 the goal of taking away the elected positions was the main reason for the election being unsuccessful. Feels very strongly that the home rule is very important. Will make himself available for assistance through Chair. Question: One of things UCCC is struggling with is trying to solve all problems of County with the Charter. Better to have authorization vs. charter language? Works best when it is written in as broad and general manner as possible leaving to the elected officials the duty of defining

legislation. More information in the Charter becomes ammunition to stop the charter from being enacted by voter.

4. ELECTED OFFICIAL AND DIRECTOR BRIEFINGS

Deputy County Manager - Finance, Shirley Ragin

Investment Policies: Shirley reviewed the investment policies in place to date. Board of Finance (BOF) is whom the Treasurer reports to and the BOF adopted the policy. It is a statutory authority comprised of the sitting BCC. Uses advisors for investments and to act as the investment officer. 15% of funds in liquid assets, but that amount is about \$75M which may be too much to be liquid. Audits, looked at cash flow for County; separated the bond portfolio per state statute for investment purposes – two portfolios with separate cash flow sheets. Portfolio has stabilized so the goal is to analyze the benefit of becoming more aggressive in our investment processes. QUESTION: What do you want to see in the Charter for guidance? ANSWER: Having an investment policy and debt management policy (bonding capacity); types of financing in regards to the debt management policy provides the limits so that the County is not over-zealous. QUESTION: How does the system work now with Investment Officer? ANSWER: It is working well, we are realizing we now need to move back to center to allow for investment flexibility. The working group brings in all the affected parties (accounting, budget, treasurer, etc.) which has given more attention to the processes from many viewpoints. QUESTION: How prescriptive should we be in a constitutional document? How do we not overstep? Investment Committee written in the charter last time – still want this in the document? ANSWER: The working group is important as they are in the “weeds.” UCCC needs to reassure voters that there are checks and balances in the charter as it helps ensure transparency in actions by all governing members. In looking at Investment Policy – the language in the following sections would be important in the Charter: pg. 3 a & b; page 9 g.2 duties. Shirley will come back with suggested language. QUESTION: How is investment officer selected? Should it be in the Charter? Is it different from the Investment Advisor? ANSWER: The investment policy identifies the two processes that can be used to do the hiring. More topics to research as possibly being addressed in the Charter document: the reserve policy of the State is restrictive, how/can County lower the required reserve amount? Economic

development financing policy – something at a high level about TIDDS/PIDDS. The ability to use bond funds to purchase of vehicles (fire and police vehicles especially) and IT infrastructure systems.

Deputy County Manager – General Services, Lisa Sedillo-White

Randy updated Lisa SW on purchasing as the driver to pursuing a charter. BC must follow NM State Procurement Code. ABQ has their own purchasing policy. We are a larger county and the Statutes binding the County are too restrictive: no legal authority to enter private/public partnerships (housing dept. and County); purchasing threshold limits we are bound by are restrictive County needs flexibility to adjust the procurement limits to benefit County. State procurement code has caused the County problems due to lack of flexibility. Preferences for gender pay equity – we cannot give a preference because the state needs to make legislation for BC to enact the preference. QUESTION: What do you see the process looking like if the charter authorizes us to adopt our own ordinances in regards to the preferences? ANSWER: Use our current State procurement code as the base/template then establish new purchasing procedures from the starting point. Amend or propose changes to certain statutes in place. We have same vendor base as CABQ which also behooves BC to mirror CABQ where it is a good business decision. WOULD NOT throw out the State Procurement Code as it is strong but really need the flexibility to make changes that work best for BernCo.

5. APPROVAL OF MINUTES

No action taken

6. ACTION ITEMS

Task Update from May 11th meeting:

Letter to Elected Officials: Written by Vince for Randy and Vince signature. Continuing to make phone calls. This will be sent out on Thursday the 25th.

DRAFTING of Document: Staff will create a document and send sections to UCCC members who expressed interest for review. Would like a rough charter by the end of June.

Set up a meeting with Mr. Schuler, Mr. Kidd and Randy Autio. UCCC reviews the draft and asks legal, “can we...” Goal is to get core issues together

7. UCCC AND COMMITTEE REPORTS

8. DISCUSSION DRAFT CHARTER SECTIONS

- A.** Section 1 - Preamble, Creation, Powers and Ordinances
- B.** Section 5 - Personnel
- C.** Section 7 – Elections: discussion around PACs and candidate rules.
- D.** Other Charter Topics
 - 1.** Franchise Fees
 - 2.** Independent Auditor
 - 3.** Elected Official Duties: UCCC member concern that elected officials may not understand the charter and need to know how this charter will not affect their present standing. If they don’t learn this, they may work against the successful election of the charter.
 - 4.** Public Financing of Candidates
 - 5.** Elected Official Outside Employment Restrictions
 - 6.** Public Records and Document Security
 - 7.** Educational Qualifications for County Manager and Elected Officials
 - 8.** Procurement Pay Equity
 - 9.** City-County Cooperation

9. ANNOUNCEMENT OF THE NEXT URBAN COUNTY CHARTER COMMISSION MEETING:

- A.** Wednesday, June 8, 2016 @ 3:30 PM – Human Resources Conference Room III – 4th Floor – One Civic Plaza

10. ADJOURNMENT OF MEETING AT 5:30 P.M